# PB# 94-17

# HR & C OF NEW YORK

4-1-67

94 - 17 H.R. & C. of New York - Sud.
Union Ave - (Grevas + Hildreth)

11/194 gred 8/18/94 CB # 4-1-12.1

Planning Board Town Hall  555 Union Ave.  New Windsor, N.Y. 12553  RECEIVED FROM Levas & Hildreth, L.S., P.C.  Low Hundred 0/00 DOLLAF  2 Lot Commercial Subdivision Escrow 2 e 400.00  Account Total \$ 800.00  Amount Paid \$ 400.00  Balance Due \$ 400.00  Planning Board Town Hall  555 Union Ave.  New Windsor, N.Y. 12553  RECEIVED FROM Days Inx of Newburgh Chewyork  Low Hundred 0/00 DOLLA  2 Lot Commercial Subdivision Escrow 2 e 400.00 eq  Account Total \$ 400.00  Account Total \$ 400.00  Account Total \$ 400.00	•
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<sup>©</sup> WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564	Title

Planning Board Town Hall 555 Union Ave.

NO. 94-17

HUSAK SAPORO New Windsor, N.Y. 12553 división Errow 20 400.00 eq

Amount Paid \$ Balance Due

"THE EFFICIENCYCLINE"AN AMPAD PRODUCT

Planning Board Town Hall 555 Union Ave.

(This CK paid part of escrow)

GENERAL RECEIPT **TOWN OF NEW WINDSOR** 14142 555 Union Avenue New Windsor, NY 12550 **DOLLARS** DISTRIBUTION: FUND CODE AMOUNT 00 50

<b>Pla</b> nning Board Town Hall	NO. <u>94-17</u>
555 Union Ave.	<u>August 16, 1994</u>
New Windsor, N.Y. 12553	
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## TOWN OF NEW WINDSOR

AS OF: 08/18/94

# LISTING OF PLANNING BOARD FEES ESCROW

FOR PROJECT NUMBER: 94-17

NAME: H.R. & C. OF NEW YORK, INC.
APPLICANT: H.R. & C. OF NEW YORK, INC.

DATE	DESCRIPTION	TRANS	AMT-CHG AMT-PAID	BAL-DUE
07/06/94	CK3649 (GREVAS)	PAID	400.00	
07/06/94	CK4493 (DAYS INN)	PAID	400.00	
07/13/94	P.B. ATTY. FEE	CHG	35.00	
07/13/94	P.B. MINUTES	CHG	31.50	
08/09/94	P.B. ENGINEER FEE	CHG	82.50	
08/18/94	RET. TO APPLICANT	CHG	651.00	
-		TOTAL:	800.00 800.00	0.00

Please issue a creck in the amount of \$651.00 to:

Days Inn of Newburgh 845 Union avenue New Windson, N.Y. 12553 PAGE:

Map Number	Block   Lot 12.12 City   New Windson
Section	Block Lot 12 Village [ ] Vlw Whales
Title:	. R. + C A New York, Inc.
	0 0
Dated: 1-	18-94 KeV. Filed 11-1-94
Approved by	Damen R. Dubaldific.
on	11 - 1 - 94
Record Owner	HR+CDMAnc.
	MARION S. MURPHY
(1)	Orange County Clerk
1 Xeet )	

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H.R.& C. OF NEW YORK, INC. SUBDIVISION AVENUE

William Hildreth, of Grevas & Hildreth appeared before the board for this proposal.

MR. PETRO: This was approved not too long ago.

MR. HILDRETH: This is a subdivision application, this piece of property was the subject of a site plan approval about a year ago, April of '93, wherein the parcel, restaurant parcel was shown in this location east of the motel as a leased parcel. We got site plan approval. We got DEC approval for moving the sewer line, all of it went through except the deal. he's got a guy who wants to buy it outright so this application here is for a subdivision. All aspects of the site plan are still valid and apply. What we had to do is change the size of this lot a little bit in order to meet the net square footage requirement for a lot for this use because we're now providing crossover easements through this lot. We're calling the new one lot 1 through this lot for the balance of lot 2 over here, in the event of future development. And there's also a little crossover easement on this driveway which is still part of lot 2 for the benefit of lot 1.

Bill, I think the site plan approval, MR. PETRO: doesn't that not expire within one year, if it is acted upon, if the--

MR. BABCOCK: That is correct.

In April of '94, the site plan approval will be no longer in effect.

MR. BABCOCK: Unless it --

MR. PETRO: Why was it not stamped?

MRS. MASON: Fees were not paid.

MR. PETRO: I can just not pay my fee for two years and I can have subdivision approval?

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MR. HILDRETH: Applicant has told me that the new people are aware of the fees that are owed and they are going to pick them up.

MR. PETRO: I understand that with this applicant. I'm just asking for further reference. Mike, you and I have talked about this before, it's one way to just go on and on and on.

MR. EDSALL: We suggested the change in the law where the conditional approvals would have an expiration similar to subdivisions that would be done as part of the local law since the State Law doesn't accomplish that.

MR. KRIEGER: It does not now exist.

MR. PETRO: What I can do, not pay \$100 of my fees and have an ongoing site plan approval?

MR. EDSALL: You'd have conditional approval forever, that is a loophole which I hope the town will close sometime.

MR. PETRO: Ron or Carmen, anything?

MR. DUBALDI: No landscaping detail, I think on the old site plan we requested landscaping.

MR. PETRO: We're here only for subdivision so the site plan would still be in effect.

MR. LANDER: I guess it is, it has expired.

MR. PETRO: Not expired, because it wasn't finalized.

MR. HILDRETH: Never got stamped.

MR. PETRO: Just discuss the subdivision tonight.

MR. KRIEGER: Our law says within six months of a presubmission conference, we normally have a number of conferences, but they must submit the application that means for final approval and the fees so if they haven't done it, it's a technical matter then.

MR. EDSALL: Presubmission conference is the meeting that they have before, it's like a sketch meeting before they make their application.

MR. PETRO: I don't want to single out this particular application because it's an ongoing problem and I believe there's probably a number of them. So I just was curious as to why it was.

MR. BABCOCK: As far as the old application, as long as they take care of it, that is, we're happy.

MR. LANDER: Well, I know we're talking about subdivision but I'm going to talk about site plan that was already approached and the fees weren't paid on but they going right, are they going to stick with this program here? They have no problem with that?

MR. HILDRETH: Correct and I've also made a note on here I believe I did, no, I didn't, okay, my fault, I thought I had.

MR. LANDER: If you can just put it on there that they are going to be held to the site plan that was already approved.

MR. EDSALL: I think in reverse we should say that this plan is purely for subdivision and any site plan information is just for reference. You're not approving a site plan, you're approving or considering a subdivision.

MR. PETRO: The old easement for the sewer line, I know we had approval for the change, it goes from the ten inch line I see where you're moving it, it goes from 10 to 8 and back to a 10, is that what's proposed?

MR. BABCOCK: It's a typo, it does say that.

MR. HILDRETH: That can't be right.

MR. EDSALL: Again, that improvement is part of the site plan requirements and their obligations are outlined in the bond that is listed for this site plan.

MR. PETRO: I don't see any reason to have that on the map.

MR. EDSALL: It should be corrected.

MR. HILDRETH: I think that is a ten inch line and I probably had it 8 inch line four times and I only changed two of them. Getting back to the comment before which was referencing the previous site plan, should that note, should there be a note?

MR. EDSALL: You can add a note that indicates that the site plan information is for reference only and it's shown as just reference the other application but they are not really reviewing the site plan here.

MR. PETRO: Can we do number 5?

MR. LANDER: I'd like to take the position of lead agency, Mr. Chairman, the Town of New Windsor Planning Board.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board declare itself lead agency on the H.R.& C. minor subdivision on Union Avenue. Any further discussion from the board members? If not, roll call.

ROLL CALL

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MR. LANDER AYE MR. DUBALDI AYE MR. PETRO AYE

MR. PETRO: As far as public hearing is concerned, this is permitted use in the zone?

MR. HILDRETH: For the Chairman and the board's information.

MR. PETRO: Again, we're only using for the subdivision, we're not looking at the site plan, just

the subdivision.

MR. HILDRETH: Public hearing was waived for the site plan.

MR. DUBALDI: Make a motion we waive the public hearing.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board waive the public hearing for the H.R. & C. minor subdivision under discretionary powers of Paragraph 4 B of the subdivision regulations. Any further discussion from the board members? If not, roll call.

#### ROLL CALL

3

MR. LANDER AYE MR. DUBALDI AYE MR. PETRO AYE

MR. LANDER: Declare negative dec.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board declare negative dec on the H.R. & C. minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

#### ROLL CALL

MR. LANDER AYE MR. DUBALDI AYE MR. PETRO AYE

MR. LANDER: I don't see any problem with this.

MR. PETRO: Do we have any housekeeping items?

MR. EDSALL: That was just more of a recommendation to make sure that Bill in his preparation of the deeds for

lot 1 and 2 includes the easements that you show here.

MR. HILDRETH: When they go to transfer, I'll be doing that for them.

MR. EDSALL: So, other than that, I believe it's very simple procedure item, you have already looked at it as part of the lease parcel for the site plan.

MR. HILDRETH: And as I said, I made it big, what happened was this line just moved up about 15 feet, that is all I had to do to take up the square footage that was required.

MR. PETRO: Any of the lot lines, Bill, are they going to be in the right-of-ways for the county road or instead of other parcels, any of them in violation anywhere, encroachment or anything? Do you have any like the right-of-way off Union Avenue, is that existing that line now in the front?

MR. HILDRETH: Yes, we but up against the right-of-way and there's a permanent easement along the right-of-way which I have shown and deducted from the gross lot area.

MR. PETRO: I don't see any problem with it.

MR. LANDER: Mr. Krieger, do you have a problem with this legal aspect here?

MR. KRIEGER: No.

MR. DUBALDI: I make a motion we approve the H.R.& C. minor subdivision subject to the addition on to the map that the applicant will follow through on the pre-approved site plan and also that all fees will be paid.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board grant final approval to the H.R. & C. minor subdivision with the subject to that has been read in. Any further discussion from the

board members? If not, roll call.

ROLL CALL

MR. LANDER AYE MR. DUBALDI AYE MR. PETRO AYE



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E. ☐ Main Office 45 Quassaick Ave. (Route 9W)

45 Quassaick Ave. (Route 9W) New Windsor, New York 12553 (914) 562-8640

☐ Branch Office 507 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

#### TOWN OF NEW WINDSOR PLANNING BOARD REVIEW COMMENTS

**REVIEW NAME:** 

H R & C MINOR SUBDIVISION

PROJECT LOCATION:

845 UNION AVENUE SECTION 4-BLOCK 1-LOT 12.12

PROJECT NUMBER:

94-17

DATE:

13 JULY 1994

**DESCRIPTION:** 

THE APPLICATION INVOLVES A TWO LOT MINOR

SUBDIVISION OF THE EXISTING PROPERTY ON UNION AVENUE. THE PLAN WAS REVIEWED ON A CONCEPT

BASIS ONLY.

1. As the Board may recall, this site was the subject of a site plan application to the Board for the proposed restaurant depicted on this minor subdivision plan. Previously, the Applicant proposed a lease parcel arrangement for the restaurant. At this time, the Applicant is depicting a minor subdivision to subdivide the restaurant parcel from the overall parcel.

In discussions with the Applicant relative to the further (future) development of the overall parcel, it was deemed appropriate that an access easement be created through the restaurant parcel for possible future development to the south of same. So as to maintain zoning conformance for the lot, the westerly property line of the restaurant parcel was relocated to provide minimum net area with that access easement and the sewer easement subtracted.

- 2. At this time, I am aware of no further issues or concerns with regard to this minor subdivision, since all development related issues have been reviewed and resolved as part of the other and separate site plan application.
- 3. It is my recommendation that the deeds of record include the metes and bounds description for the access easement both through Lot 1 and Lot 2, as well as the sewer easements. With regard to the sewer easement, some reference should be made as to the existence of the current easement and the proposed relocation of same.

- 4. It is my understanding that the obligation relative to the re-location of the sewermain is an obligation of the site plan application, not this subdivision application. This understanding should be confirmed.
- 5. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
- 6. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
- 7. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
- 8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted.

Mark J. Edsall, R.E.

Planning Board Engineer

**MJEmk** 

A:HRC.mk

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RE: MOTION-AUTHORIZE SUPERVISOR TO EXECUTE ESCROW AGREEMENT H. R. & C. OF NEW YORK, INC. w/ TNW-SEC. 4-BLK.1-LOT 67

SECONDED BY COUNCIL Fú.

That the Town Board of the Town of New Windsor authorize the Supervisor to execute an Escrow Agreement between H. R. & C. OF NEW YORK, INC. and TOWN OF NEW WINDSOR dated March 1, 1996, the agreement stating that the Developer will post a cash bond in the sum of \$7,500 to ensure completion of improvements to sewer main at the subject site.

ROLL CALL: ODD OSED MOTION CARRIED: 4 -0

Town Board Agenda: 03/06/96.

(TA DOCDISK#2-063089.AG)

Note: Please have the Supervisor execute three (3) copies, affix town seal and return all copies to Attorney's office for processing.

#### **ESCROW AGREEMENT**

DATE:

March 1, 1996

**DEVELOPER:** 

H.R. & C. OF NEW YORK, INC.

PREMISES:

845 UNION AVENUE, NEW WINDSOR, N. Y.

SECTION 4 - BLOCK 1 - LOT 67

whereas, the Town OF NEW WINDSOR has granted site plan approval for a project at the above-referenced site, which required a performance bond, and for which a bank Letter of Credit was posted; and

WHEREAS, due to circumstances beyond the control of the DEVELOPER, certain items have not been completed; and WHEREAS, the Engineer for the DEVELOPER has compiled a list of yet outstanding items and a cost estimate in the amount of \$7,500 which the Engineer for the Town has reviewed and approved (see attached); and

WHEREAS, the DEVELOPER has agreed to post a cash bond with the TOWN OF NEW WINDSOR for the amount of \$7,500 to ensure completion of the improvements.

#### NOW, THEREFORE, BE IT AGREED:

- 1. THE UNDERSIGNED developer hereby places in escrow with TOWN OF NEW WINDSOR and its assignees, the sum of \$7,500, to be held in escrow but not in a separate account by TOWN OF NEW WINDSOR, to secure that the following work is satisfactorily completed on or before the 30 day of TUNE, 1976:
  - (1) See attached letter dated 2/28/96 from Greg Shaw, P.E.
- 2. No release of these escrow funds will be effected until the following conditions have been met:

- (a) Written report by the Engineers for the TOWN OF NEW WINDSOR stating completion of the necessary repairs.
- 3. In the event that the aforementioned item(s) is not provided to the TOWN OF NEW WINDSOR on or before the completion date above, the TOWN OF NEW WINDSOR is hereby authorized and empowered to immediately use and spend any and all of the escrow funds, at its sole discretion, in order to complete the above items, either with Town forces or outside contractors.
- 4. The DEVELOPER agrees that, in the event the funds deposited in escrow with the TOWN OF NEW WINDSOR, are not sufficient to pay for the completion of the work as defined above, the DEVELOPER will remit to the TOWN OF NEW WINDSOR all additional monies needed for completion of this work and/or repairs within five (5) days of mailing date of the demand by the TOWN OF NEW WINDSOR.
- 5. Upon completion of all of the work described above, in a manner in keeping with the conditions described herein, any escrow balance remaining will be released, without interest thereon, to the DEVELOPER.
- 6. The DEVELOPER agrees to pay reasonable attorney fees and court costs that may be incurred by the TOWN OF NEW WINDSOR in connection with any litigation concerning this agreement, and further agrees that such fees and costs may be deducted from the escrowed funds.
- 7. The undersigned DEVELOPER, by signing this agreement, consents to all of its terms and further consents, agrees, authorizes and empowers the TOWN OF NEW WINDSOR or its agents to

enter the premises herein described for the purpose of completing the work and/or repairs described in this agreement.

(SEAL)

(SEAL)

H.R. & C. OF NEW YORK, INC. By: President

TOWN OF NEW WINDSOR

By: \(\) / , Supervisor

(TA DOCDISK#22-010996.EA)

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE )

On the day of Mack, 1996, before me personally appeared GEORGE J. MEYERS, to me known, who being by me duly sworn, did depose and say that he resides at 22 Brandon Court, New Windsor, New York, that he is the Supervisor of the TOWN OF NEW WINDSOR, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that it was so affixed by Order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
# 4984065
Commission Expires July 15.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

on this 5th day of March, 1996 before me personally came Howard Choe, to me known, who being by me duly sworn, did depose and say that he resides at 645 Union Avenue, New Windson, N. 4.12553; that he is the Vice Physident of H.R. & C. OF NEW YORK, INC., the corporation described in and which executed the foregoing instrument; khatchexkocursobbex acceleration and the foregoing instrument; khatchexkocursobbex acceleration and which executed the foregoing instrument; khatchexkocursobbex acceleration and which executed the foregoing instrument; khatchexkocursobbex acceleration and which executed the foregoing instrument; and that he signed his name thereto by wide order of the Boardoof Directors of said corporation.

Notary Public - Onange County
My Commission Expires: 8/31/97

# Shaw Engineering

Consulting Engineers

February 28, 1996

744 Broadway
P. O. Box 2589
Newburgh, New York 12550
[914] 561-3895

Office Of Town Attorney
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Via Fax: 563-4693

Att: Philip Crotty, Esq.

Re: Sewer Main Replacement For H.R. & C. Of New York Inc. (Days Inn)

Dear Phil:

This correspondence is written on behalf of my client, H.R. & C. Of New York Inc., regarding the expiration of their Letter Of Credit on March 6, 1996. This Letter of Credit in the amount of \$27,000 was posted as a performance guarantee to the Town of New Windsor for the replacement of the Town's sewer main on the Days Inn property.

Regarding the status of the construction, presently all pipe and manholes are installed with the exception of 77 feet of 10-inch pipe. The installed pipe has been successfully pressure tested and the manholes are scheduled for vacuum testing tomorrow, March 29.

Realizing that there is insufficient time to post a new Letter of Credit, my client proposes to substitute a cash security for the work yet to be completed. This cash security represents the following work items:

 10-Inch Pipe
 77 L.F.
 @ \$40.00 per L.F.
 \$ 3,080.00

 Punch List Items
 \$ 1,720.00

 Final Testing And As-Built Drawings
 \$ 2,700.00

 Total
 \$ 7,500.00

If this proposal is acceptable to the Town of New Windsor, please advise this office so that the cash security can be posted prior to the expiration date.

Very truly yours,

SHAW ENGINEERING

03/01/96-This Agreement is okay with

Engineer for Town, Mark Edsall, P.E.

Gregory J. Soew, P.E.

Principal

GJS:mmv

cc: Mark Edsall, P.E., Via Fax: 561-1413 Victor Choe, Days Inn, Via Fax: 564-7550

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### TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

March 07, 1996

H. R. & C. OF NEW YORK, INC. 845 Union Avenue New Windsor, N. Y. 12553

Attn: Mr. Howard Choe, Vice President

RE: H.R.&C. w/ TOWN OF NEW WINDSOR ESCROW AGREEMENT

a. Banhart

Dear Mr. Choe:

Enclosed you will find your copy of the above-entitled Agreement which was executed by Supervisor Meyers on this date.

Very truly yours,

PATRICIA A. BARNHART Attorney's Office

/pab Enclosure

cc: Town Clerk Hansen

#### PLANNING BOARD TOWN OF NEW WINDSOR

AS OF: 08/18/94

LISTING OF PLANNING BOARD ACTIONS

STATUS [Open, Withd A [Disap, Appr

PAGE: 1

STAGE:

FOR PROJECT NUMBER: 94-17

NAME: H.R. & C. OF NEW YORK, INC.

APPLICANT: H.R. & C. OF NEW YORK, INC.

--DATE-- MEETING-PURPOSE----- ACTION-TAKEN-----

08/18/94 PLANS SIGNED

APPROVED

07/13/94 P.B. APPEARANCE

LA:ND WVE P.H.

07/13/94 P.B. APPEARANCE (CON'T)

APPR. COND.

. NOTE ON PLAN "SITE PLAN INFO ON MAP FOR REFERENCE ONLY"

07/06/94 WORK SESSION APPEARANCE

SUBMIT

#### PLANNING BOARD TOWN OF NEW WINDSOR

AS OF: 08/18/94

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 94-17

NAME: H.R. & C. OF NEW YORK, INC. APPLICANT: H.R. & C. OF NEW YORK, INC.

	DATE-SENT	AGENCY	DATE-RECD	RESPONSE
ORIG	07/07/94	MUNICIPAL HIGHWAY	07/11/94	APPROVED
ORIG	07/07/94	MUNICIPAL WATER	07/11/94	APPROVED
ORIG	07/07/94	MUNICIPAL SEWER	/ /	
ORIG	07/07/94	MUNICIPAL FIRE	07/11/94	APPROVED
ORIG	07/07/94		/ /	
ORIG	07/07/94		/ /	

PAGE: 1

#### SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:
APPLICATION FEE $50.00$ Pd
ESCROW:  RESIDENTIAL:  LOTS @ 150.00 (FIRST 4 LOTS)\$  LOTS @ 75.00 (ANY OVER 4 LOTS)\$  COMMERCIAL:  2 LOTS @ 400.00 (FIRST 4 LOTS)\$  LOTS @ 200.00 (ANY OVER 4 LOTS)\$
TOTAL ESCROW DUE\$ 800.00 Pd
* * * * * * * * * * * * * * * * * * *
APPROVAL FEES MINOR SUBDIVISION:
PRE-PRELIMINARY PLAT APPROVAL       \$ 50.00         PRELIMINARY PLAT APPROVAL       \$ 100.00         FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT)       \$ 110.00         FINAL PLAT SECTION FEE       \$ -150.00         BULK LAND TRANSFER. (\$100.00)       \$
TOTAL SUBDIVISION APPROVAL FEES\$_260.00
* * * * * * * * * * * * * * * * * * * *
RECREATION FEES:
LOTS @ \$1000.00 PER LOT\$1,000.00
* * * * * * * * * * * * * * * * * * * *
THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:
PLANNING BOARD ENGINEER FEES.       \$ 82.50         PLANNING BOARD ATTORNEY FEES.       \$ 35.00         MINUTES OF MEETINGS.       \$ 31.50         OTHER.       \$
PERFORMANCE BOND AMOUNT\$
5% OF ABOVE AMOUNT
ESTIMATE OF PRIVATE IMPROVEMENTS: \$
4% OF FIRST \$50,000.00 OF ABOVE:\$
TOTAL INSPECTION FEE DUE:\$

#### RESULTS OF P.B. MEETING

DATE: <i>July 13,</i>	<u> 1994                                   </u>
PROJECT NAME: H.R. & C of N Y.	1
	*
LEAD AGENCY:	* NEGATIVE DEC:
M) $L$ $S)$ $D$ $VOTE:A$ $3$ $N$ $O$	* M) L S) D VOTE: A 3 N O
CARRIED: YESNO	
* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * *
WAIVED: YES	_ NO
SEND TO OR. CO. PLANNING: M)_S)_	VOTE: A N YES NO
SEND TO DEPT. OF TRANSPORT: M)_s)	VOTE:A N YES NO
DISAPP: REFER TO Z.B.A.: M)_S)_ '	VOTE: A N YES NO
RETURN TO WORK SHOP: YES	NO
APPROVAL:	
M)_S) VOTE:AN APPRO	VED:
$M) \underline{O} S) \underline{L} VOTE: A \underline{3} N \underline{O} APPR.$	CONDITIONALLY: 7-13-94
NEED NEW PLANS: YES NO	<del></del>
DISCUSSION/APPROVAL CONDITIONS:	
Note on plan saying S.P. 1	xfo on map is only for
all feestik paid	



# TOWN OF NEW WINDSR

#### 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

#### NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER,	
PLEASE RETURN COMPLETED FORM TO:	
MYRA MASON, SECRETARY FOR THE PLANNING BOARD	
planning board file number: 94 - 17	
DATE PLAN RECEIVED: RECEIVED JUL - 6 1994	
The maps and plans for the Site Approval	
Subdivisionas submit	ted by
for the building or subdivisi	on of
	has been
reviewed by me and is approved	
disapproved	•
If disapproved, please list reason	
	·
	<u>:</u>
•	
Fred Smylls	,
HIGHWAY SUPERINTENDER	NT DATE
WATER SUPERINTENDENT	DATE



# TOWNOF NEW WINDSOR

#### 555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

#### NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., SEWER, HIGHWAY	:
PLEASE RETURN COMPLETED FORM TO:	
MYRA MASON, SECRETARY FOR THE PLANNING BOARD	
PLANNING BOARD FILE NUMBER: 94-17	_ <del>_</del>
DATE PLAN RECEIVED: RECEIVED JUL - 6 1994	
The maps and plans for the Site Approval $4/80$	Tue
Subdivisionas sub	omitted by
for the building or subdiv	vision ofhas been
reviewed by me and is approved	·
disapproved	
If disapproved, please list reason	•
<b>\</b>	•
	-
+2029	NDENT DATE
	ENT DATE
SANÎTARY SÛP <b>Y</b> RÎNT	ENDENT DATE

#### INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

**DATE:** 11 July 1994

SUBJECT: H.R. & C. of N.Y. Subdivision

Planning Board Reference Number: PB-94-17

Dated: 6 July 1994

Fire Prevention Reference Number: FPS-94-034

A review of the above referenced subject subdivision plan was conducted on 8 July 1994.

This subdivision plan is acceptable.

Plans Dated; 22 June 1994

RFR/myz



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E.

Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640

☐ Branch Office 400 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

#### PLANNING BOARD WORK SESSION RECORD OF APPEARANCE

TOWN VILLAGE OF NEW WINDSOR	P/B # 94 - 17
WORK SESSION DATE: 6 JULY 1994	APPLICANT RESUB. REQUIRED: James 1
REAPPEARANCE AT W/S REQUESTED:	Jarred 1
PROJECT NAME: HR & SUSAir	
PROJECT STATUS: NEW X OLD	
REPRESENTATIVE PRESENT: WBH	
MUNIC REPS PRESENT: BLDG INSP.  FIRE INSP.  ENGINEER  PLANNER  P/B CHMN.  OTHER (Specify)	
ITEMS TO BE ADDRESSED ON RESUBMITTAL:	
Show easement thru lot 2 to	benft!
taking leased parce ( of making slightly large a subdividing.	previor 5/p
next avail og	enda
4MJE91 pbwsform	

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Planning Board Town of New Windsor 555 Union Avenue New Windsor, NY 12553

(This is a two-sided form)

#### APPLICATION FOR STTE-PLAN, SUBDIVISION PLAN, OR LOT LINE CHANGE APPROVAL

wher of Record (SAME)  Idress (Street No. & Name)  Erson Preparing Plan HUDGETH  Idress 33 QUASSAICK AVENUE	Phone (State) (Zip)  Phone (SAME)  (Post Office) (State) (Zip)  (Post Office) (State) (Zip)  (Lister Manusch N.Y. 12553  (Post Office) (State) (Zip)  Phone
(Street No. & Name)  wher of Record (SAME)  Idress (Street No. & Name)  erson Preparing Plan Hudgeth  Idress 3 QUASSAICK AVENUE  (Street No. & Name)  Etorney (Street No. & Name)	Phone (SAME)  Phone (SAME)  (Post Office) (State) (Zip)  (List office) (State) (Zip)  (List office) (State) (Zip)  (Post Office) (State) (Zip)  Phone
(Street No. & Name)  GREWAS FOR Preparing Plan HUDGETH  Iddress 33 QUASSAICK AVENUE  (Street No. & Name)	(SAME) (Post Office) (State) (Zip) (List Plane 562-8667  (Post Office) (State) (Zip)  Phone
(Street No. & Name)  GREWAS FOR Preparing Plan HUDGETH  Iddress 33 QUASSAICK AVENUE  (Street No. & Name)	(Post Office) (State) (Zip)  (Post Office) (State) (Zip)  (Post Office) (State) (Zip)  Phone
(Street No. & Name)  GREWAS FROM Preparing Plan Hubberth  Idress 33 QUASSAICK AVENUE  (Street No. & Name)	(Post Office) (State) (Zip)  (List Phone 562-8667  (Post Office) (State) (Zip)  Phone
dress 33 QUASSAICK AVENUE (Street No. & Name)	(Post Office) (State) (Zip)  Phone
dress 33 QUASSAICK AVENUE (Street No. & Name)	(Post Office) (State) (Zip)  Phone
ctorney	Phone
aress	•
	(Post Office) (State) (Zip)
erson to be notified to represent Meeting GREVAS & HOUSE	esent applicant at Planning 74,1.5,f.c. Phone 562-8667
(Name) ocation: On the WEST	side of UNION AVENUE
800 f feet NORTH (Direction)	(Street) of <u>Foure 767</u> (Street)
(22233300)	neC, 9A.School Dist_NewBuy
3. If this property is within containing a farm operation located in	
x Map Designation: Section_	4 Block / Lot /2./2
his application is for Two	LOT COMMERCIAL SUBDIVISION
	A.Y. Service
	Motary English and County Age 19— Commission Extract July 16, 19— Commission Extract July 16, 19—

12.	Has the Zoning Board o Special Permit concern	f Appeals	granted an property?	y var	iance or a
	If so, list Case No. a	nd Name		I/A	
13.	List all contiguous ho Section	ldings in	the same o	wners Lot(s	hip None
the libe reco shal owner	ched hereto is an affi respective holdings of r and page of each con rded in the Orange Coul indicate the legal or of the property and uted.	land were veyance in nty Clerk wner of th	e acquired, nto the pre 's Office. ne property	toge sent This , the	ther with the owner as affidavit contract
dire more	IN THE EVENT OF CORPOR ctors, officers and st that five percent (5% ched.	ockholder	s of each c	orpor	ation owning
	R'S ENDORSEMENT pletion required ONLY	if applica	able)	•• .	
COUN	TY OF ORANGE				
	E OF NEW YORK				
V that	he resides at 845 Unhe County of ORANGE that he is (the owner	being	duly sworn	, dep	oses and says
in t	he County of <u>OFANGE</u>	in fee) of	nd State of	News	IEW YORK
			(Official	Titl	e)
desc	he Corporation which i ribed in the foregoing	applicat:	ion and tha	t he	has authorized
appl	ication for Special Us	e Approva	l as descri	bed h	erein.
INFO	I HEREBY DEPOSE AND SA RMATION, AND ALL STATE ORTING DOCUMENTS AND D	Y THAT ALI MENTS AND	THE ABOVE	STAT N CON	EMENTS AND TAINED IN THE
Swor	n before me this		(Owher's		Chur
2	day of June	1994 <b>198</b>	Viestor	<u>u                                    </u>	ignature)
	Vuyima Smit.	<del></del>	Pre	ياك	out
	Notary Public	MITH	(TITUE)		
	ALMANY PUBLIC, STORY	e of New Your 547 inge County 94			

.,,

	14-16-4 (2/87)—Text 12					
	PROJECT	I.D. N	IUMBER			Y
ı						1

617.21

94 - 17 RECEIVED JUL - 6 SEOR

# Appendix C State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

TANT 1-1 TOOLEGE HE CHIMATION (TO be completed by Applicant of Project sponsor)
1. APPLICANT ISPONSOR  H.R. & C. OF NEW YORK, INC.  2. PROJECT NAME  H.R. & C. OF NEW YORK, INC. MINIOR SUBDIVISION
3. PROJECT LOCATION:
Municipality TOWN OF NEW WINDSOR County ORANGE
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
WEST SIDE OF UNION AVENUE; 2,800'\$ NORTH OF ROUTE 207
TAX MAP SECTION 4 BLOCK   LOT 12-12
5. IS PROPOSED ACTION: New Expansion Modification/alteration
6. DESCRIBE PROJECT BRIEFLY:
TWO LOT MINOR COMMERCIAL SUBDIVISION CREATING A ONE ACRE PARCEL
FOR DEVELOPMENT OF A RESTAURANT SITE. BALANCE OF PROPERTY CONTAINS AN
EXISTING MOTEL.
7. AMOUNT OF LAND AFFECTED:  Initially 9.4 t acres Ultimately 9.4 t acres
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
Yes No If No, describe briefly
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  Residential Industrial Commercial Agriculture Park/Forest/Open space Other Describe:
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL,
STATE OR LOCALY?
Yes No If yes, list agency(s) and permit/approvals
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
Yes No If yes, list agency name and permit/approval
TOWN OF NEW WINDSOR PLYANING BOARDS SITE PLAN APPRIAL
, and of the first text of the same and the
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes X No
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicantisponsor name: N. R.C. OF NEW YOLK INC VICTOR CHOE Date: 6 JUNE 1994
Applicant/sponsor name: N.F.C. OF NEW YOLK, INC. VICTOR CHOE Date: 6 JUNE 1994  Stonature: VICTOR CHOE  Date: 6 JUNE 1994
Signature:

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT Carbo complete	
□Yes □No	617,12? If yes, coordinate the review process and use the FULL EAF.
WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR U may be superseded by another involved agency.  Yes No	NLISTED ACTIONS IN 6 NYCRR, PART 617.67 If No. a negative declaration
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED W	r, noise levels, existing traffic patterns, solid waste production or disposal,
C2. Aesthetic, agricultural, archaeological, historic, or other natural of	or cultural resources; or community or neighborhood character? Explain briefly:
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant	t habitats, or threatened or endangered species? Explain briefly:
C4. A community's existing plans or goals as officially adopted, or a ci	hange in use or intensity of use of land or other natural resources? Explain briefly
CS. Growth, subsequent development, or related activities likely to be	s induced by the proposed action? Explain briefly.
C6. Long term, short term, cumulative, or other effects not identified	in C1-C5? Explain briefly.
C7. Other impacts (including changes in use of either quantity or typ	e of energy)? Explain briefly.
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO  Yes No If Yes, explain briefly	POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
PART III—DETERMINATION OF SIGNIFICANCE (To be com	poleted by Agency)
INSTRUCTIONS: For each adverse effect identified above, dete Each effect should be assessed in connection with its (a) se irreversibility; (e) geographic scope; and (f) magnitude. If necessity	nrmine whether it is substantial, large, important or otherwise significant. etting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) ssary, add attachments or reference supporting materials. Ensure that adverse impacts have been identified and adequately addressed.
occur. Then proceed directly to the FULL EAF and	
	n the information and analysis above and any supporting OT result in any significant adverse environmental impacts asons supporting this determination:
Name of	Lead Agency
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
	Date

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#### PROXY STATEMENT

#### for submittal to the

#### TOWN OF NEW WINDSOR PLANNING BOARD

	, deposes and says that he
resides at 845 UNION AVENUE, (Owner's Address)	NEW WINDSOF
in the County of OFANGE	·
and State of New YORK	·
and that he is the owner in fee of BLOCK   LoT 12,12	
which is the premises described in that he has authorized GREVAS	
to make the foregoing application	,
Date: 6 JUNE 1994	(Owner's Signature)
	(Witness' Signature)

THIS FORM  $\underline{\text{CANNOT}}$  BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.

#### TOWN OF NEW WINDSOR PLANNING BOARD

#### MINOR SUBDIVISION CHECKLIST

I.			ems shall be submitted with a COMPLETED pplication Form.
	1.		_Environmental Assessment Statement
	*2.		_Proxy Statement
	3.		_Application Fees
	4.		_Completed Checklist
II.	Subd	following c livision Pla Planning Bo	hecklist items shall be incorporated on the trior to consideration of being placed on ard Agenda.
	1.		_Name and address of Applicant.
	*2.		_Name and address of Owner.
	, 3.	·	_Subdivision name and location.
	4.		Tax Map Data (Section-Block-Lot).
	5		Location Map at a scale of $1'' = \frac{2,000}{2,000}$ ft.
	6.		Zoning table showing what is required in the particular zone and what applicant is proposing.
	7.		Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
	8.		Date of plat preparation and/or date of any plat revisions.
	9.		_Scale the plat is drawn to and North Arrow.
	10.		Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
	11.		_Surveyor's certification.
	12.		Surveyor's seal and signature.

\*If applicable.

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-		RECEIVED JUL ~ 6 1994
13.		_Name of adjoining owners.
14.	N/A	Wetlands and 100 foot buffer zone with an
	,	appropriate note regarding D.E.C. requirements.
*15.	N/A	Flood land boundaries.
16.	N/A	A note stating that the septic system for
•		each lot is to be designed by a licensed professional before a building permit can be issued.
17.		_Final metes and bounds.
18.		Name and width of adjacent streets; the
	. /2	road boundary is to be a minimum of 25 ft. from the physical centerline of the street.
19.		Include existing or proposed easements.
20.		_Right-of-Way widths.
21.	N/A	_Road profile and typical section (minimum
		traveled surface, excluding shoulders, is to be 16 ft. wide).
22.		_Lot area (in square feet for each lot less
		than 2 acres).
23.		Number the lots including residual lot.
24.	N/A	Show any existing waterways.
*25.	N/A	_A note stating a road (or any other type) maintenance agreement is to be filed in
		the Town Clerk's Office and County Clerk's Office.
26.		_Applicable note pertaining to owners'
		review and concurrence with plat together with owners' signature.
27.		_Show any existing or proposed improvements,
	,	i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28.		Show all existing houses, accessory structures, existing wells and septic
		systems within 200 ft. of the parcel to be subdivided.

29.	N/A	Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.		
30.	N/A	Provide "septic" system design notes as required by the Town of New Windsor.		
31.	*	_Show existing grade by contour (2 ftinterval preferred) and indicate source of contour data.		
32.	<u>*</u>	Indicate percentage and direction of grade.		
33.		_Indicate any reference to previous, i.e., _file map date, file map number and previous _lot number.		
34.		Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.		
35.		Indicate location of street or area lighting (if required).		
This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.				
PREPARER'S ACKNOWLEDGEMENT:				
The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.				
By: William B. Hildrey Licensed Professional				
Date: 6 JUNE 1994				

\* PEFER TO APPROVED SITE PULL

